

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**ANGIOSCORE, INC.,**

Plaintiff,

v.

**TRIEME MEDICAL, INC., ET AL.,**

Defendants.

Case No. 12-cv-03393-YGR

**PRE-TRIAL ORDER NO. 1 (PATENT CLAIMS)**

Re: Dkt. Nos. 464, 660, 663, 668-69

**I. ADDITIONAL CLAIM CONSTRUCTION**

The parties have requested additional claim construction now that the case is in its final stages of preparation for trial. (*See* Dkt. Nos. 660, 663, 668-69.) Having carefully considered the parties' briefs, the arguments of counsel at the July 22, 2015 hearing, the patent-at-issue, and the Court's earlier claim construction order (Dkt. No. 218), the Court construes the following additional terms consistent with its earlier order, for the reasons stated on the record, and good cause showing:

<b>Term</b>	<b>Construction</b>
stent	"tube-like structure"
strut(s)	Ordinary and customary meaning.
proximal end of the catheter shaft	"the part of the device where the stent, catheter shaft, and balloon connect, which is nearest to the doctor when the device is inserted"
distal end of the catheter shaft	"the part of the device where the stent, catheter shaft, and balloon connect, which is farthest from the doctor when the device is inserted"
longitudinally shorten	"reshaping by returning to a bended state"

**II. MOTION *IN LIMINE* RE: SHEEHAN REPORT**

With respect to plaintiff's motion to preclude certain opinions of Neil Sheehan (Dkt. No. 464), the Court considered the parties' briefs, the arguments of counsel, and the report in question and previously explained the procedure the Court employs during trial with respect to experts' views on claim construction, namely that no expert is allowed to explain the construction of terms during testimony. Having explained the process to the parties, it is not clear whether any dispute exists regarding the nature of the testimony either side anticipates offering with respect to their experts. Expert reports themselves are not admissible. The parties shall meet and confer to determine whether any issues remain in light of the Court's explanations and constructions provided herein. The motion is **DENIED WITHOUT PREJUDICE** in the event that issues remain unresolved.

With respect to the defense's oral motion from the July 22, 2015 hearing to supplement Neil Sheehan's report, the motion is **DENIED**. The Court has reviewed the relevant portions of the report and finds that they have adequately explained his opinions.

This Order terminates Docket Number 464.

**IT IS SO ORDERED.**

Dated: July 30, 2015



**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**